

GOVERNMENT OF TELANGANA  
ABSTRACT

Tribal Welfare Department – Telangana State – Kumuram Bheem Asifabad District – Issue of Local Scheduled Tribe Agency Area Certificates – Declaration of Local Scheduled Tribe Agency Area Certificate as Not Genuine by the District Collector, Kumuram Bheem Asifabad District vide Letter Rc.No.C2/352/0001/2022, dated 28.02.2023 - Appeal filed by Sri Ade Ambaji S/o Bansri R/o Lingapur village & Mandal, Kumuram Bheem Asifabad District - Appeal Allowed – Orders – Issued.

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TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 55

Dated: 06-10-2023.  
Read the following:-

1. GO Ms.No.24, Tribal Welfare (LTR.1) Department, dated 12.6.2018.
2. Lr.Rc.No.C2/352/0001/2022, dated 28.02.2023 of the District Collector, Kumuram Bheem Asifabad District.
3. Appeal petition of Sri Ade Ambaji S/o Bansri R/o Lingapur Village & Mandal of Kumuram Bheem Asifabad District, dated 15.05.2023 & 26.08.2023.
4. Govt. Memo.No.849/TW.LTR/2023, dated 12.09.2023.
5. Govt.Notice No.849/TW.LTR/2023, dated 12.09.2023.
6. From the Collector & District Magistrate, Kumuram Bheem Asifabad District, Letter No.C2/352/0001/2022, dated .09.2022.

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ORDER:-

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In the reference 3<sup>rd</sup> read above, Sri Ade Ambaji S/o Bansri R/o Lingapur village & Mandal, Kumuram Bheem Asifabad District has filed Appeal petition before the Government under G.O.Ms.No.24, TW(LTR-1) Department, dated 12.06.2018 against the orders of the District Collector, Kumuram Bheem Asifabad District vide reference 2<sup>nd</sup> read above. The history of the case is as follows:

The Appellant Sri Ade Ambaji S/o Bansri R/o Lingapur village & Mandal, Kumuram Bheem Asifabad District has been provisionally selected to the post of Language Pandit (Hindi) Secondary Grade Teacher (SGT) under Agency Area Local ST category from Adilabad District in the Teachers Recruitment Drive taken up Telangana State Public Service Commission vide Notification No.53/2017. During verification of genuineness of his Local ST Certificate, the District Collector, Kumuram Bheem Asifabad District vide his Lr.Rc.No.C2/352/0001/2022, dated 28.02.2023 has conveyed remarks of the Scrutiny Committee constituted under GO Ms.No.24, dated 12.6.2018 headed by the Project Officer, ITDA, Utnoor to the District Educational Officer, Adilabad vide reference 2<sup>nd</sup> read above, stating that the candidate's Local ST Certificate is Not Genuine. A copy of the said findings has also been communicated to the appellant Sri Ade Ambaji.

3. Aggrieved by the above orders of the District Collector, Kumuram Bheem Asifabad District dated 28.02.2023, in the reference 3<sup>rd</sup> read above the appellant Sri Ade Ambaji, S/o Bansri R/o Lingapur village & Mandal, Kumuram Bheem Asifabad has filed the present Appeal before the Government under GO Ms.No.24, Tribal Welfare (LTR) Department, dated 12.6.2018 contending as under:

- i) He has been provisionally selected to the post of Language Pandit (Hindi) in the General Recruitment Drive notified by the TSPSC vide Notification No.54/2017 under Agency Area Local ST category of erstwhile Adilabad District.
- ii) During verification, the Scrutiny Committee headed by the Project Officer, ITDA Utnoor has reported to the District Collector, Kumuram Bheem Asifabad that his local ST certificate is Not Genuine.

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- iii) In turn the District Collector, Kumuram Bheem Asifabad vide his letter No.C2/352/0001/2022, dated 28.02.2023 while conveying above finding of the Project Officer, ITDA Utnoor, informed the District Educational Officer, Adilabad to take further necessary action in the matter.
- iv) The Government has issued orders in GO.Ms.No.24, Tribal Welfare (LTR-1) Department, dated 12.6.2018 prescribing procedure for issue and cancellation of Agency Area Local Scheduled Tribe Certificates. According to the said orders, the Scrutiny Committee headed by the Project Officer of the ITDA concerned shall conduct enquiry into the veracity of the Agency Area Local ST certificate of any candidate referred to the Scrutiny Committee. During the course of enquiry, the Scrutiny Committee shall verify genuineness of all the documentary evidences produced by the candidate, statements to be recorded wherever required, record of the Tahsildar's office concerned who issued the said certificates is to be verified and then forward its recommendations to the District Collector concerned who in turn in case of not genuine cases shall give final opportunity to the candidate by issuing Show Cause Notice to the candidate to submit his explanation and also any further documents – after the said procedure is completed, then the District Collector if not satisfied with the explanation and documents submitted by the candidate, shall issue cancellation orders.
- v) Instead of following the above procedure, a letter was addressed by the District Collector, Kumuram Bheem Asifabad to the District Educational Officer, Adilabad mentioning appellant's Local ST Certificate is Not Genuine as reported by the Project Officer, ITDA Utnoor no specific reasons were mentioned nor any opportunity was given to him before cancellation of his LST Certificate.
- vi) However, considering findings of the Scrutiny Committee conveyed by the District Collector, Kumuram Bheem Asifabad to the District Educational Officer, Adilabad under intimation to the appellant, the Appellant has filed the present Appeal under GO.Ms.No.24, Tribal Welfare (LTR-1) Department, dated 12.6.2018 substantiating his claim with the following documents that he belongs to the Agency Area Local ST category of Kumuram Bheem Asifabad District (erstwhile Adilabad district):
  - a) Copies of certificates related to educational qualifications from 1<sup>st</sup> class to M.A. (Hindi) Post Graduation and TSTET eligibility passed in the Examination conducted on 23.7.2017 vide Hall Ticket No.77270212000018.
  - b) Community and Date of Birth Certificate issued by the Tahsildar, Lingapur Mandal dated 18.11.2017 wherein it was certified that the appellant belongs to Lambadis-28 (ST) community.
  - c) Local Scheduled Tribe Candidate Certificate issued by the Tahsildar, Sirpur (U) Mandal bearing No. dated 28.1.2009 wherein it was certified that the appellant belongs to Lambada ST community and that as per Mandal Revenue Officer, Narnoor report, his parents resided in Narnoor village & Mandal of Adilabad District from 1950 to 1976 which falls in scheduled area and from 1977-78 to till date residing at Lingapur village (notified village) in Sirpur-U Mandal of Adilabad District which falls in scheduled area on 26.1.1950.
  - d) Family Tree duly Notarized  
Ade Sura is greater grandfather. He has two sons namely Lal Singh and Ade Jetha (great grandfather).

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Ade Lal Singh (elder brother of great grandfather) has three sons namely 1) Bheemla 2) Govardhan and 3) Narayan.

Ade Jetha (appellant's great grandfather) has three sons namely 1) Ade Lacha (grandfather) 2) Ade Panthulu and 3) Ade Jairam).

Ade Lacha (grandfather) has six sons namely 1) Ade Bansi (appellant's father) 2) Rathansingh 3) Rama Rao 4) Shyamrao 5) Thukaram and 6) Kishan.

Ade Bansi (appellant's father) has five children namely 1) Ade Dilip 2) Babulal 3) Lalithabai 4) Ambaji (appellant) and 5) Shravan.

- e) Aadhar card bearing No.7092 8992 9801 issued to appellant's father Ade Bansee S/o Ade Lachiram by the UIDAI Govt. of India wherein his residence was recorded as H.No.1-250, Lingapur of Sirpur-U Mandal, Adilabad District 504313.
- f) Aadhar card bearing No.7694 2179 7210 issued to the appellant by the UIDAI Govt. of India wherein his residence was recorded as H.No.1-250, Lingapur, Sirpur, Adilabad District 504313.
- g) Election Photo ID card No.AP/35/243/288509 date of issue: 15/12/95 – issued to appellant's grandmother Aade Banisa W/o Lacha by the Electoral Registration Officer, Khanapur (ST) Assembly Constituency – wherein their residence was recorded as H.No.1-138, Lingapur.
- h) Voter list for the year 1977 – 248 Khanapur Assembly Constituency – wherein names of the following family members were enrolled from Sl.No.125 to 132.
  - 125. Ade Lalu S/o Jaitu (correct name is Lacha but wrongly printed as Lalu)
  - 126. Jaitu S/o Sara
  - 127. Mannibai W/o Jaitu
  - 128. Valibai D/o Jaitu
  - 129. Pantulu S/o Jaitu
  - 130. Malibai W/o Pantu
  - 131. Ade Bansi S/o Lacha
  - 132. Ade Valibai W/o Bansi
- i) Pahani for the year 1948-49 of village Narnoor, Utnoor Taluq (true translation from Marathi to English done by Nagorao Jhade, Marathi Modi Translator, R/o Mahegaon, Narnoor Mandal, District Adilabad) – wherein name of Ade Bheemla S/o Lalsingh i.e. eldest son of brother of appellant's great grandfather Jetha was recorded for an extent of acs.12.00.
- j) Khasra Pahani 1954-55 – Narnoor village – Utnoor Division – Adilabad District – wherein name of Narayan S/o Lalsingh (son of brother of appellant's great grandfather) was recorded.
- k) Pahani for the year 1967-68 – Narnoor village – wherein name of Narayan S/o Lalsingh (son of brother of appellant's great grandfather) was recorded.
- m) RoFR Patta bearing No.1929110125 issued to appellant's father Ade Bansilal for an extent of acs.6.982 in Lingapur village of Sirpur-U Mandal, Adilabad District.
- n) Narnoor Gram Panchayat Resolution dated 9.5.2023 wherein it was resolved after causing due enquiry with the village elders that appellant's forefathers lived in Narnoor village from 1950 to 1968 doing agriculture labour.

(Contd...4)

- o) Lingapur Gram Panchayat Resolution dated 5.3.2023 wherein it was resolved after causing due enquiry with the village elders that appellant's family has been residing in the village from 1971 to till date doing agriculture.
- vi) Since all the above documentary evidences amply prove and establish that he is the Agency Area Local Scheduled Tribe of Lingapur village in the present Kumuram Bheem Asifabad District, prayed the Government to ALLOW his Appeal.

4. In the reference 4<sup>th</sup> read above, Government have admitted the above Appeal petition under G.O.Ms.No.24, dated 12.06.2018 and requested the District Collector, Kumuram Bheem Asifabad District, the Project Officer, ITDA, Utnoor, Adilabad District and Tahsildar Lingapur Mandal Mandal, Kumuram Bheem Asifabad District to submit connected case records documents pertaining to the case along with para-wise remarks.

5. In the reference 5<sup>th</sup> read above, Notice was issued to the Appellant to attend for hearing on 14.09.2023 at 3.00 PM before the Government to prove his claim along with documentary evidences. Accordingly, the Appellant Sri Ade Ambaji S/o Bansi has attended and submitted certain copies of documents. A representative from the O/o Deputy Director (TW), Kumuram Bheem Asifabad has submitted letter of the District Collector, Kumuram Bheem Asifabad vide reference 6<sup>th</sup> read above, wherein Para-wise remarks have been submitted – gist of which is as under:

- i) District Educational Officer (FAC), Adilabad vide Lr.No.B1/B7/951/TRT/2019, dated 28.04.2022 has requested to verify the Local Agency Certificate of Mr.Ade Ambaji S/o Bansi R/o Lingapur village and Mandal of Kumuram Bheem Asifabad District.
- ii) Vide reference C2/352/0001/2022, dated 30.07.2022, a letter has been addressed to the Project Officer, ITDA Utnoor to verify the genuinity of Local Scheduled Tribe Certificate of individual.
- iii) The Project Officer, ITDA Utnoor vide Lr.No.T1/91/2019, dated 06.01.2023 has submitted report stating that committee has verified the documents produced by the candidate with reference to GO.Ms.No.24, dated 12.06.2018 and has concluded that the Local Scheduled Tribe Certificate of individual is found not genuine.
- iv) Further vide this office Lr.No.C2/352/0001/2022, dated 28.02.2023 the same report has been forwarded to the District Educational Officer (FAC), Adilabad for taking further necessary action.
- v) According to GO Ms.No.24, Tribal Welfare (LTR-1) Department, dated 12.6.2018 scrutiny committee has already verified the documents submitted by the individuals and opined that the Local Agency Certificate of the individual is found not genuine. Hence, further notice has not been issued to the individual in this case. Moreover, no order has been also issued for cancellation of the Local Agency Certificate dated 28.01.2009 issued by Tahsildar, Sirpur-U to Mr.Ade Ambaji S/o Bansi R/o Lingapur Village and Mandal of Kumuram Bheem Asifabad District.

#### 6. Findings

- It is evident from both the letters of the District Collector, Adilabad i.e. 1) Rc.No.C2/352/0001/2022, dated 28.02.2023 addressed to the District Educational Officer, Adilabad and 2) Parawise remarks submitted to the Government in Lr.No.C2/352/0001/2022, dated - 09-2023, no specific findings have been made as to declaring the Appellant as not local ST of agency village and that his local ST Certificate is not genuine – but simply stated that the Project Officer, ITDA Utnoor has verified the certificates and found his Local ST certificate as Not Genuine and the same has been communicated to the District Educational Officer, Adilabad for taking further necessary action.

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- While on the other hand, the Appellant Sri Ade Ambaji S/o Bansi R/o Lingapur village & Mandal of Kumuram Bheem Asifabad District has submitted documentary evidences to the Government along with his Appeal which have been examined, verified and found valid in accordance to the guidelines/norms prescribed under GO Ms.No.24, Tribal Welfare (LTR-1) Department, dated 12.6.2018 – thus proving his/his ancestors continuous residence in the agency villages i.e. Narnoor village & Mandal of Adilabad District from 1950 to 1976 and in Lingapur village and Mandal of Kumuram Bheem Asifabad (erstwhile Adilabad District) from 1977 onwards. Both Narnoor and Lingapur are agency villages as notified by the President of India in the Presidential Order, 1950 dated 7.12.1950.

7. Government after careful examination of the documentary evidences submitted by the Appellant, parawise remarks of the District Collector, Kumuram Bheem Asifabad and in view of the above findings, hereby allow the Appeal filed by the Appellant Sri Ade Ambaji S/o Bansi R/o Lingapur village & Mandal Kumuram Bheem Asifabad District, treating him as Local ST of Lingapur agency village in the Kumuram Bheem Asifabad District and his Local ST Certificate bearing Rc.No.D/170/2009, dated 28.1.2009 issued by the Tahsildar, Sirpur-U Mandal as GENUINE duly setting aside the following references:

- i) Lr.Rc.No.T1/91/2019, dated 6.1.2023 of Project Officer, ITDA Utnoor.
- ii) Lr.Rc.No.C2/352/0001/2022, dated 28.02.2023 of Collector, Kumuram Bheem Asifabad District addressed to the District Educational Officer, Adilabad

8. The Collector and District Magistrate, Kumuram Bheem Asifabad District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr.CHRISTINA Z.CHONGTHU,  
SECRETARY TO GOVERNMENT.

To

The Collector and District Magistrate,  
Kumuram Bheem Asifabad District (By RPAD)  
Ade Ambaji S/o Bansi R/o H.No. 1-250,  
Lingapur village and Mandal,  
Kumuram Bheem Asifabad District – 504313. (By RPAD)

Copy to:-

The Secretary, Telangana State Public Service Commission,  
Hyderabad

The Commissioner and Director of School Education, TS, Hyderabad.

The Collector and District Magistrate, Adilabad District

The Project Officer, ITDA, Utnoor, Adilabad District

The District Tribal Development Officer(TW),  
Komuram Bheem Asifabad District.

The District Educational Officer, Adilabad District

The District Educational Officer, Komuram Bheem Asifabad District

The Tahsildar, Lingapur Mandal, Komuram Bheem Asifabad District.

The P.S. to Hon'ble Minister for ST Welfare.

The PA to Secretary (TW).

The PA to Special Secretary (TW).

Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER.